



Protecting, Maintaining and Improving the Health of All Minnesotans

October 6, 2023

Licensee
Service Management Group Inc
317 North High Street
Lake City, MN 55041

RE: Project Number(s) SL29088015

Dear Licensee:

On October 4, 2023, the Minnesota Department of Health completed a follow-up survey of your facility to determine if orders from the August 23, 2023, survey were corrected. This follow-up survey verified that the facility is in substantial compliance.

You are encouraged to retain this document for your records. It is your responsibility to share the information contained in the letter with your organization's Governing Body.

Please feel free to call me with any questions.

Sincerely,

A handwritten signature in black ink that reads 'Jessie Chenze'.

Jessie Chenze, Supervisor
State Evaluation Team
Email: jessie.chenze@state.mn.us
Telephone: 218-332-5175 Fax: 1-866-890-9290

HHH



Protecting, Maintaining and Improving the Health of All Minnesotans

Electronically Delivered

September 12, 2023

Licensee
Service Management Group Inc
317 North High Street
Lake City, MN 55041

RE: Project Number(s) SL29088015

Dear Licensee:

The Minnesota Department of Health (MDH) completed a survey on August 23, 2023, for the purpose of evaluating and assessing compliance with state licensing statutes. At the time of the survey, the MDH noted violations of the laws pursuant to Minnesota Statute, Chapter 144G, Minnesota Food Code, Minnesota Rules Chapter 4626, Minnesota Statute 626.5572 and/or Minnesota Statute Chapter 260E.

STATE CORRECTION ORDERS

The enclosed State Form documents the state correction orders. The MDH documents state licensing correction orders using federal software. Tag numbers are assigned to Minnesota state statutes for Assisted Living Facilities. The assigned tag number appears in the far left column entitled "ID Prefix Tag." The state statute number and the corresponding text of the state statute out of compliance are listed in the "Summary Statement of Deficiencies" column. This column also includes the findings that are in violation of the state statute after the statement, "This MN Requirement is not met as evidenced by . . ."

IMPOSITION OF FINES

In accordance with Minn. Stat. § 144G.31, Subd. 4, fines and enforcement actions may be imposed based on the level and scope of the violations and may be imposed immediately with no opportunity to correct the violation first as follows:

Level 1: no fines or enforcement.

Level 2: a fine of \$500 per violation, in addition to any enforcement mechanism authorized in § 144G.20 for widespread violations;

Level 3: a fine of \$3,000 per violation per incident, in addition to any enforcement mechanism authorized in § 144G.20.

Level 4: a fine of \$5,000 per incident, in addition to any enforcement mechanism authorized in § 144G.20.

In accordance with Minn. Stat. § 144G.31, Subd. 4 (a)(5), the MDH may impose fine amounts of either \$1,000 or \$5,000 to licensees who are found to be responsible for maltreatment. The MDH may impose a fine of \$1,000 for each substantiated maltreatment violation that consists of

abuse, neglect, or financial exploitation according to Minn. Stat. § 626.5572, Subds. 2, 9, 17. The MDH also may impose a fine of \$5,000 for each substantiated maltreatment violation consisting of sexual assault, death, or abuse resulting in serious injury.

In accordance with Minn. Stat. § 144G.31, Subd. 4 (b), when a fine is assessed against a facility for substantiated maltreatment, the commissioner shall not also impose an immediate fine under this chapter for the same circumstance.

Therefore, in accordance with Minn. Stat. §§ 144G.01 to 144G.9999, the following fines are assessed pursuant to this survey:

St - 0 - 2310 - 144g.91 Subd. 4 (a) - Appropriate Care And Services - \$3,000.00

Therefore, in accordance with Minn. Stat. §§ 144G.01 to 144G.9999, **the total amount you are assessed is \$3,000.00**. You will be invoiced approximately 30 days after receipt of this notice, subject to appeal.

DOCUMENTATION OF ACTION TO COMPLY

In accordance with Minn. Stat. § 144G.30, Subd. 5(c), the licensee must document actions taken to comply with the correction orders within the time period outlined on the state form; however, plans of correction are not required to be submitted for approval.

The correction order documentation should include the following:

- Identify how the area(s) of noncompliance was corrected related to the resident(s)/employee(s) identified in the correction order.
- Identify how the area(s) of noncompliance was corrected for all of the provider's resident(s)/employees that may be affected by the noncompliance.
- Identify what changes to your systems and practices were made to ensure compliance with the specific statute(s).

CORRECTION ORDER RECONSIDERATION PROCESS

In accordance with Minn. Stat. § 144G.32, Subd. 2, you may challenge the correction order(s) issued, including the level and scope, and any fine assessed through the correction order reconsideration process. The request for reconsideration must be in writing and received by the MDH within 15 calendar days of the correction order receipt date.

A state correction order under Minn. Stat. § 144G.91, Subd. 8, Free from Maltreatment is associated with a maltreatment determination by the Office of Health Facility Complaints. If maltreatment is substantiated, you will receive a separate letter with the reconsideration process under Minn. Stat. § 626.557.

Please email reconsideration requests to: **Health.HRD.Appeals@state.mn.us**. Please attach this letter as part of your reconsideration request. Please clearly indicate which tag(s) you are contesting and

submit information supporting your position(s).

Please address your cover letter for reconsideration requests to:

Reconsideration Unit
Health Regulation Division
Minnesota Department of Health
P.O. Box 64970
85 East Seventh Place
St. Paul, MN 55164-0970

REQUESTING A HEARING

Alternatively, in accordance with Minn. Stat. § 144G.31, Subd. 5(d), an assisted living provider that has been assessed a fine under this subdivision has a right to a reconsideration or a hearing under this section and chapter 14. Pursuant to Minn. Stat. § 144G.20, Subd. 14 and Subd. 18, a request for a hearing must be in writing and received by the MDH within 15 business days of the correction order receipt date. The request must contain a brief and plain statement describing each matter or issue contested and any new information you believe constitutes a defense or mitigating factor. Requests for hearing may be emailed to: **Health.HRD.Appeals@state.mn.us**.

To appeal fines via reconsideration, please follow the procedure outlined above. Please note that you may request a reconsideration **or** a hearing, but not both.

You are encouraged to retain this document for your records. It is your responsibility to share the information contained in the letter and state form with your organization's Governing Body.

If you have any questions, please contact me.

Sincerely,



Jodi Johnson, Supervisor
State Evaluation Team
Email: jodi.johnson@state.mn.us
Telephone: 507-344-2730 Fax: 651-281-9796

HHH

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 29088	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____		(X3) DATE SURVEY COMPLETED 08/23/2023
NAME OF PROVIDER OR SUPPLIER HIGH STREET HOUSE			STREET ADDRESS, CITY, STATE, ZIP CODE 317 NORTH HIGH STREET LAKE CITY, MN 55041		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)		(X5) COMPLETE DATE
0 000	Initial Comments *****ATTENTION***** ASSISTED LIVING PROVIDER LICENSING CORRECTION ORDER(S) In accordance with Minnesota Statutes, section 144G.08 to 144G.95, these correction orders are issued pursuant to a survey. Determination of whether violations are corrected requires compliance with all requirements provided at the Statute number indicated below. When Minnesota Statute contains several items, failure to comply with any of the items will be considered lack of compliance. INITIAL COMMENTS: SL29088015 On August 21, 2023, through August 23, 2023, the Minnesota Department of Health conducted a survey at the above provider, and the following correction orders are issued. At the time of the survey, there were nice active residents; all receiving services under the Assisted Living Facility license. 2310: The immediacy was removed on August 23, 2023; however, non-compliance remains at level 3, pattern (H).	0 000	Minnesota Department of Health is documenting the State Correction Orders using federal software. Tag numbers have been assigned to Minnesota State Statutes for Assisted Living License Providers. The assigned tag number appears in the far left column entitled "ID Prefix Tag." The state Statute number and the corresponding text of the state Statute out of compliance is listed in the "Summary Statement of Deficiencies" column. This column also includes the findings which are in violation of the state requirement after the statement, "This Minnesota requirement is not met as evidenced by." Following the surveyors' findings is the Time Period for Correction. PLEASE DISREGARD THE HEADING OF THE FOURTH COLUMN WHICH STATES,"PROVIDER'S PLAN OF CORRECTION." THIS APPLIES TO FEDERAL DEFICIENCIES ONLY. THIS WILL APPEAR ON EACH PAGE. THERE IS NO REQUIREMENT TO SUBMIT A PLAN OF CORRECTION FOR VIOLATIONS OF MINNESOTA STATE STATUTES. The letter in the left column is used for tracking purposes and reflects the scope and level issued pursuant to 144G.31 subd. 1, 2, and 3.		
0 430 SS=C	144G.40 Subd. 2 Uniform checklist disclosure of services (a) All assisted living facilities must provide to	0 430			

Minnesota Department of Health

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

Minnesota Department of Health

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0 430	Continued From page 1 prospective residents: (1) a disclosure of the categories of assisted living licenses available and the category of license held by the facility; (2) a written checklist listing all services permitted under the facility's license, identifying all services the facility offers to provide under the assisted living facility contract, and identifying all services allowed under the license that the facility does not provide; and (3) an oral explanation of the services offered under the contract. (b) The requirements of paragraph (a) must be completed prior to the execution of the assisted living contract. (c) The commissioner must, in consultation with all interested stakeholders, design the uniform checklist disclosure form for use as provided under paragraph (a). This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to provide a copy of the uniform checklist disclosure of services (UDALSA) with the required content for one of one resident (R1). This practice resulted in a level one violation (a violation that has no potential to cause more than a minimal impact on the resident and does not affect health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all the residents). R1 was admitted on July 25, 2019, and received services to include assistance with activities of daily living (ADLs), and medication management.	0 430			

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0 430	Continued From page 2 R1's record lacked documentation of receiving the UDALSA to include: -a disclosure of the categories of assisted living licenses available and the category of license held by the facility; - a written checklist listing all services permitted under the facility's license, identifying all services the facility offers to provide under the assisted living facility contract, and identifying all services allowed under the license the facility did not provide; and -an oral explanation of the services offered under the contract. On August 22, 2023, at 11:27 a.m. licensed assisted living director/registered nurse (LALD/RN)-A stated she verbally reviewed the UDALSA with residents but did not have the residents sign that they had received it. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	0 430			
0 480 SS=F	144G.41 Subd 1 (13) (i) (B) Minimum requirements (13) offer to provide or make available at least the following services to residents: (B) food must be prepared and served according to the Minnesota Food Code, Minnesota Rules, chapter 4626; and This MN Requirement is not met as evidenced by: Based on observation, interview and record review, the licensee failed to ensure food was prepared and served according to the Minnesota	0 480			

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0 480	Continued From page 3 Food Code. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all the residents). The findings include: Please refer to the included document titled, Food and Beverage Establishment Inspection Report dated August 23, 2023, for the specific Minnesota Food Code deficiencies. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	0 480			
0 650 SS=F	144G.42 Subd. 8 Employee records (a) The facility must maintain current records of each paid employee, each regularly scheduled volunteer providing services, and each individual contractor providing services. The records must include the following information: (1) evidence of current professional licensure, registration, or certification if licensure, registration, or certification is required by this chapter or rules; (2) records of orientation, required annual training and infection control training, and competency evaluations; (3) current job description, including qualifications, responsibilities, and identification of staff persons providing supervision; (4) documentation of annual performance	0 650			

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0 650	Continued From page 4 reviews that identify areas of improvement needed and training needs; (5) for individuals providing assisted living services, verification that required health screenings under subdivision 9 have taken place and the dates of those screenings; and (6) documentation of the background study as required under section 144.057. This MN Requirement is not met as evidenced by: Based on observation, interview and record review, the licensee failed to ensure employee records included all required content for two of two unlicensed personnel (ULP-D, ULP-C). This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has potential to affect a large portion or all of the residents). The findings include: ULP-D had an original start date through a staffing agency of March 23, 2023. ULP-D was hired as a permanent employee on June 26, 2023. ULP-D's Basic Skills Orientation/Evaluation Checklist form signed by the registered nurse (RN) on March 23, 2023, did not include training/competency for administration of a transdermal patch or prescription creams/ointments. ULP-C started employment on April 18, 2023.	0 650			

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0 650	Continued From page 5 On August 22, 2023, at 7:37 a.m. ULP-C was observed to administer medications which included application of a transdermal (application of a medicine through the skin by using an adhesive patch) patch to R2. ULP-C's Basic Skills Orientation/Evaluation Checklist form signed by a RN on April 27, 2023, did not include training/competency for administration of a transdermal patch or prescription creams/ointments. On August 23, 2023, at 12:43 p.m. licensed assisted living director/registered nurse (LALD/RN)-A stated ULP-D and ULP-C were trained and competent to administer all medication routes including transdermal patches and prescription cream/ointment, but their record lacked evidence of training/competency. LALD/RN-A further stated utilizing the same competency checklist for all unlicensed staff. The licensee's personnel records policy dated August 1, 2022, indicated each personnel record would include record of all required training for ULP and competency evaluations. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	0 650			
0 680 SS=F	144G.42 Subd. 10 Disaster planning and emergency preparedness (a) The facility must meet the following requirements: (1) have a written emergency disaster plan that	0 680			

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0 680	Continued From page 6 contains a plan for evacuation, addresses elements of sheltering in place, identifies temporary relocation sites, and details staff assignments in the event of a disaster or an emergency; (2) post an emergency disaster plan prominently; (3) provide building emergency exit diagrams to all residents; (4) post emergency exit diagrams on each floor; and (5) have a written policy and procedure regarding missing residents. (b) The facility must provide emergency and disaster training to all staff during the initial staff orientation and annually thereafter and must make emergency and disaster training annually available to all residents. Staff who have not received emergency and disaster training are allowed to work only when trained staff are also working on site. (c) The facility must meet any additional requirements adopted in rule. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to have a written emergency preparedness plan with all the required content as defined in Appendix Z. This had the potential to affect all residents receiving services under the assisted living license. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has potential to affect	0 680			

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0 680	Continued From page 7 a large portion or all the residents). The findings include: The licensee's emergency preparedness procedures binder last reviewed September 9, 2022, lacked the following required content: - policies and procedures for medical documents - policies and procedures to address the means facility will use to release resident information. On August 23, 2023, at 1:15 p.m. licensed assisted living director/registered nurse (LALD/RN)-A reviewed the licensee's emergency preparedness procedures binder and could not find evidence of the above content. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	0 680		
0 810 SS=F	144G.45 Subd. 2 (b)-(f) Fire protection and physical environment (b) Each assisted living facility shall develop and maintain fire safety and evacuation plans. The plans shall include but are not limited to: (1) location and number of resident sleeping rooms; (2) employee actions to be taken in the event of a fire or similar emergency; (3) fire protection procedures necessary for residents; and (4) procedures for resident movement, evacuation, or relocation during a fire or similar emergency including the identification of unique or unusual resident needs for movement or evacuation.	0 810		

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0 810	Continued From page 8 (c) Employees of assisted living facilities shall receive training on the fire safety and evacuation plans upon hiring and at least twice per year thereafter. (d) Fire safety and evacuation plans shall be readily available at all times within the facility. (e) Residents who are capable of assisting in their own evacuation shall be trained on the proper actions to take in the event of a fire to include movement, evacuation, or relocation. The training shall be made available to residents at least once per year. (f) Evacuation drills are required for employees twice per year per shift with at least one evacuation drill every other month. Evacuation of the residents is not required. Fire alarm system activation is not required to initiate the evacuation drill. This MN Requirement is not met as evidenced by: Based on record review and interview, the licensee failed to provide the required employee training on fire safety and evacuation; failed to provide training to residents capable of assisting in their own evacuation; and failed to complete the required employee evacuation drills. This had the potential to affect all staff, residents, and visitors. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents).	0 810			

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0 810	Continued From page 9 The findings include: On August 21, 2023, between 12:30 p.m. and 1:00 p.m., documents were provided to survey staff for review by the housing manager (HM)-B. 1. Records were not provided to support that employee training on the facility fire safety and evacuation plans had been completed. The employee training frequency upon hiring and at least twice per year after thereafter was not met. HM-B explained that the licensee had conducted training with employees, but this had not been documented. 2. Records were not provided to support that annual resident training on the proper actions to take in the event of a fire to include movement, evacuation, or relocation had been completed. HM-B explained that the licensee had conducted training with residents, but this had not been documented. 3. The licensee failed to meet the required evacuation drill frequency. One evacuation drill record was provided dated June 9, 2023. The evacuation drill frequency of twice per year per shift with at least one evacuation drill every other month was not met. HM-B explained that they were unable to locate documentation on evacuation drills that were completed before they were hired earlier this year. On August 21, 2023, at approximately 1:00 p.m., HM-B confirmed the findings during an interview. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	0 810			

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01290 SS=C	144G.60 Subdivision 1 Background studies required (a) Employees, contractors, and regularly scheduled volunteers of the facility are subject to the background study required by section 144.057 and may be disqualified under chapter 245C. Nothing in this subdivision shall be construed to prohibit the facility from requiring self-disclosure of criminal conviction information. (b) Data collected under this subdivision shall be classified as private data on individuals under section 13.02, subdivision 12. (c) Termination of an employee in good faith reliance on information or records obtained under this section regarding a confirmed conviction does not subject the assisted living facility to civil liability or liability for unemployment benefits. This MN Requirement is not met as evidenced by: Based on observation, interview, and record review, the licensee failed to ensure a background study had been completed prior to providing services for any potential employee working for a dispatching answering service. This had the potential to affect all residents living within the facility. This practice resulted in a level one violation (a violation that has no potential to cause more than a minimal impact on the resident and does not affect health or safety), and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has potential to affect a large portion or all of the residents). The findings include:	01290			

Minnesota Department of Health

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(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)		(X5) COMPLETE DATE
01290	Continued From page 11 During the entrance conference on August 21, 2023, at 11:59 a.m., licensed assisted living director/registered nurse (LALD/RN)-A stated the facility utilized a wrist or necklace pendant system to call for staff assistance. Once the pendant was pushed, a dispatcher from an outside agency would contact the resident through a speaker in the resident's apartment. The speaker worked in conjunction with the outside agency. The dispatcher would make contact with the resident then call the unlicensed personnel on duty's work phone and let them know the resident needed assistance. On August 21, 2023, at approximately 2:30 p.m. the surveyor was in the hallway outside of apartment three. The apartment door was open, and the surveyor overheard R5 talking to a dispatch person whose voice could be heard through the speaker in R5's apartment. R5 was talking loudly and stated she needed assistance to use the bathroom; the dispatcher responded they would notify staff. On August 23, 2023, at 8:58 a.m. LALD/RN-A stated the outside agency dispatching service received each resident's name, diagnoses, and emergency contact information when setting up their account. LALD/RN-A stated this dispatching service and workers were located in New York. The facility provided residents' personal information to this dispatching service and workers, even though they were not cleared through NETStudy 2.0. No further information was provided. TIME PERIOD FOR CORRECTION: Two (2) days	01290			

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01440 SS=E	144G.62 Subd. 4 Supervision of staff providing delegated nurs (a) Staff who perform delegated nursing or therapy tasks must be supervised by an appropriate licensed health professional or a registered nurse according to the assisted living facility's policy where the services are being provided to verify that the work is being performed competently and to identify problems and solutions related to the staff person's ability to perform the tasks. Supervision of staff performing medication or treatment administration shall be provided by a registered nurse or appropriate licensed health professional and must include observation of the staff administering the medication or treatment and the interaction with the resident. (b) The direct supervision of staff performing delegated tasks must be provided within 30 calendar days after the date on which the individual begins working for the facility and first performs the delegated tasks for residents and thereafter as needed based on performance. This requirement also applies to staff who have not performed delegated tasks for one year or longer. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure a registered nurse (RN) conducted direct supervision of staff performing a delegated task within 30 days of providing services for two of two unlicensed personnel (ULP)-C, ULP-D). This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to	01440			

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01440	Continued From page 13 cause serious injury, impairment, or death) and was issued at a pattern scope (when more than a limited number of residents are affected, more than a limited number of staff are involved, or the situation has occurred repeatedly; but is not found to be pervasive). The findings include: ULP-C ULP-C was hired on April 18, 2023, to perform direct care services to the licensee's residents. On August 22, 2023, at 7:37 a.m. ULP-C was observed to administer medications which included application of a transdermal (application of a medicine through the skin by using an adhesive patch) patch to R2. ULP-C's employee record lacked documentation of direct supervision of performing a delegated task within 30 days of providing services to verify the work was performed competently and to identify problems and solutions to address issues relating to the staff's ability to provide the services. ULP-D ULP-D had an original start date through a staffing agency of March 23, 2023. ULP-D was hired as a permanent employee on June 26, 2023. ULP-D's Real Time Check In form dated July 24, 2023, indicated licensed assisted living director/registered nurse (LALD/RN)-A had provided supervision of ULP-D performing resident assistance with activities of daily living (ADLs) and toileting. The form did not include evidence of supervision of a delegated task.	01440			

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01440	Continued From page 14 On August 23, 2023, at 12:43 p.m. LALD/RN-A stated she completed a performance check in with ULP-C and ULP-D after 30 days, but it did not include observations of delegated tasks. The licensee's supervision of unlicensed personnel policy dated August 1, 2022, indicated direct supervision of unlicensed staff providing delegated nursing tasks, delegated treatments or assigned therapy tasks would be performed within 30 days after the person began work and had been trained and determined competent to perform all the tasks assigned. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	01440			
01500 SS=D	144G.63 Subd. 5 Required annual training (a) All staff that perform direct services must complete at least eight hours of annual training for each 12 months of employment. The training may be obtained from the facility or another source and must include topics relevant to the provision of assisted living services. The annual training must include: (1) training on reporting of maltreatment of vulnerable adults under section 626.557; (2) review of the assisted living bill of rights and staff responsibilities related to ensuring the exercise and protection of those rights; (3) review of infection control techniques used in the home and implementation of infection control standards including a review of hand washing techniques; the need for and use of protective gloves, gowns, and masks; appropriate disposal	01500			

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01500	Continued From page 15 of contaminated materials and equipment, such as dressings, needles, syringes, and razor blades; disinfecting reusable equipment; disinfecting environmental surfaces; and reporting communicable diseases; (4) effective approaches to use to problem solve when working with a resident's challenging behaviors, and how to communicate with residents who have dementia, Alzheimer's disease, or related disorders; (5) review of the facility's policies and procedures relating to the provision of assisted living services and how to implement those policies and procedures; and (6) the principles of person-centered planning and service delivery and how they apply to direct support services provided by the staff person. (b) In addition to the topics in paragraph (a), annual training may also contain training on providing services to residents with hearing loss. Any training on hearing loss provided under this subdivision must be high quality and research based, may include online training, and must include training on one or more of the following topics: (1) an explanation of age-related hearing loss and how it manifests itself, its prevalence, and challenges it poses to communication; (2) the health impacts related to untreated age-related hearing loss, such as increased incidence of dementia, falls, hospitalizations, isolation, and depression; or (3) information about strategies and technology that may enhance communication and involvement, including communication strategies, assistive listening devices, hearing aids, visual and tactile alerting devices, communication access in real time, and closed captions.	01500			

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01500	Continued From page 16 This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure an employee received all the required annual training content for each 12 months of employment for one of three employees (registered nurse (RN)-E). This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death) and was issued at an isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved, or the situation has occurred only occasionally). The findings include: RN-E was hired on November 4, 2019, and began providing assisted living services on August 1, 2021. RN-E's record lacked evidence annual training had been completed as required in the following areas: - reporting of maltreatment of vulnerable adults or minors; - review of assisted living bill of rights and staff responsibilities related to ensuring the exercise and protection of those rights; - review of infection control techniques used in the home and implementation of infection control standards including a review of hand washing techniques; the need for and use of protective gloves, gowns, and masks; appropriate disposal of contaminated materials and equipment, such as dressings, needles, syringes, and razor blades; disinfecting reusable equipment;	01500			

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01500	Continued From page 17 disinfecting environmental surfaces; and reporting communicable diseases; - effective approaches to use to problem solve when working with a resident's challenging behaviors, and how to communicate with residents who have dementia, Alzheimer's disease, or related disorders; - review of the facility's policies and procedures relating to the provision of assisted living services and how to implement those policies and procedures; and - the principles of person-centered planning and service delivery and how they apply to direct support services provided by the staff person. On August 23, 2023, at 12:43 p.m. licensed assisted living director (LALD)/RN-A stated she requested RN-E's annual training from human resources (HR) and was told RN-E had not been assigned and/or completed annual training since 2021. The licensee's assisted living annual training policy dated August 1, 2022, indicated staff would complete annual education to keep knowledge and skills current to provide quality care to residents. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	01500			
01530 SS=D	144G.64 TRAINING IN DEMENTIA CARE REQUIRED (a) All assisted living facilities must meet the following training requirements: (1) supervisors of direct-care staff must have at	01530			

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01530	Continued From page 18 least eight hours of initial training on topics specified under paragraph (b) within 120 working hours of the employment start date, and must have at least two hours of training on topics related to dementia care for each 12 months of employment thereafter; (2) direct-care employees must have completed at least eight hours of initial training on topics specified under paragraph (b) within 160 working hours of the employment start date. Until this initial training is complete, an employee must not provide direct care unless there is another employee on site who has completed the initial eight hours of training on topics related to dementia care and who can act as a resource and assist if issues arise. A trainer of the requirements under paragraph (b) or a supervisor meeting the requirements in clause (1) must be available for consultation with the new employee until the training requirement is complete. Direct-care employees must have at least two hours of training on topics related to dementia for each 12 months of employment thereafter; This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure the required amount of dementia care training was completed for each 12 months of employment in accordance with 144G.64 for one of three employees (registered nurse (RN)-E). This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death) and was issued at an isolated scope (when one or a limited number of residents are affected or one or	01530			

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01530	Continued From page 19 a limited number of staff are involved, or the situation has occurred only occasionally). The findings include: RN-E was hired on November 4, 2019, and began providing assisted living services on August 1, 2021. RN-E's record lacked evidence of two hours of dementia care training completed within the previous 12 months. On August 23, 2023, at 12:43 p.m. licensed assisted living director (LALD)/RN-A stated she requested RN-E's annual training from human resources (HR) and was told RN-E had not been assigned and/or completed annual training since 2021. The licensee's assisted living dementia training policy dated August 1, 2022, indicated employees would have a minimum of two hours on training topics related to dementia care for each twelve months of employment. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	01530			
01620 SS=D	144G.70 Subd. 2 (c-e) Initial reviews, assessments, and monitoring (c) Resident reassessment and monitoring must be conducted no more than 14 calendar days after initiation of services. Ongoing resident reassessment and monitoring must be conducted as needed based on changes in the needs of the	01620			

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01620	Continued From page 20 resident and cannot exceed 90 calendar days from the last date of the assessment. (d) For residents only receiving assisted living services specified in section 144G.08, subdivision 9, clauses (1) to (5), the facility shall complete an individualized initial review of the resident's needs and preferences. The initial review must be completed within 30 calendar days of the start of services. Resident monitoring and review must be conducted as needed based on changes in the needs of the resident and cannot exceed 90 calendar days from the date of the last review. (e) A facility must inform the prospective resident of the availability of and contact information for long-term care consultation services under section 256B.0911, prior to the date on which a prospective resident executes a contract with a facility or the date on which a prospective resident moves in, whichever is earlier. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure the registered nurse (RN) conducted ongoing nursing assessments not to exceed 90 days for one of one resident (R1). This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death) and was issued at an isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved, or the situation has occurred only occasionally). The findings include:	01620			

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01620	Continued From page 21 R1 was admitted on July 25, 2019, with diagnoses that included dementia, cerebral infarction, and osteoarthritis. R1's service plan signed on April 25, 2023, indicated R1 received services to include assistance with activities of daily living (ADLs), and medication management. R1's last two assessments were requested. Assessments dated April 25, 2023, and August 1, 2023, were provided. The August 1, 2023, assessment was 98 days after the date of the previous assessment, exceeding 90 calendar days. On August 22, 2023, at 11:27 a.m. licensed assisted living director (LALD)/RN-A confirmed R1's assessments were greater than 90 days apart. LALD/RN-A stated their computer system had a tracking mechanism to remind her when assessments were due and could not remember why it was missed. The licensee's initial and on-going nursing assessment of residents' policy dated August 2, 2022, indicated ongoing monitoring and review would be conducted as needed based on changes in the resident needs and would not exceed 90 calendar days from the last review date. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	01620			
01650 SS=F	144G.70 Subd. 4 (f) Service plan, implementation and revisions to	01650			

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01650	Continued From page 22 (f) The service plan must include: (1) a description of the services to be provided, the fees for services, and the frequency of each service, according to the resident's current assessment and resident preferences; (2) the identification of staff or categories of staff who will provide the services; (3) the schedule and methods of monitoring assessments of the resident; (4) the schedule and methods of monitoring staff providing services; and (5) a contingency plan that includes: (i) the action to be taken if the scheduled service cannot be provided; (ii) information and a method to contact the facility; (iii) the names and contact information of persons the resident wishes to have notified in an emergency or if there is a significant adverse change in the resident's condition, including identification of and information as to who has authority to sign for the resident in an emergency; and (iv) the circumstances in which emergency medical services are not to be summoned consistent with chapters 145B and 145C, and declarations made by the resident under those chapters. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure the service plan included all required content for one of one resident (R1). This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a	01650			

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01650	Continued From page 23 widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents). The findings include: R1 was admitted on July 25, 2019, with diagnoses that included dementia, cerebral infarction, and osteoarthritis. R1's service plan signed on April 25, 2023, indicated R1 received services to include assistance with activities of daily living (ADLs), and medication management. R1's service plan dated April 25, 2023, lacked the following content: - the schedule and methods of monitoring assessment of the resident; - the schedule and methods of monitoring the staff providing services; and - a contingency plan that includes: the action to be taken if the scheduled service cannot be provided; information and a method to contact the facility; the names and contact information of persons the resident wishes to have notified in an emergency or if there is a significant adverse change in the resident's condition, including identification of an information as to who has authority to sign for the resident in and emergency; and the circumstances in which emergency medical services are not to be summoned consistent with chapters 145B and 145C, and declarations made by the resident under those chapters. On August 23, 2023, at 12:43 p.m. licensed assisted living director/registered nurse (LALD/RN)-A verified R1's service plan did not	01650			

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01650	Continued From page 24 include the above content. LALD/RN-A stated she thought the required content was included in a separate document given to residents upon admission but could not locate it. LALD/RN stated all residents used the same service plan template. The licensee Contents of Service Plans policy dated August 1, 2022, indicated the service plan would include: - a description of the services provided - fees for services - frequency of each service according to resident assessment and resident preferences - schedule and methods of monitoring assessments - schedule and methods of monitoring staff providing services - contingency plan that included: action taken if the scheduled service could not be provided, information and method to contact the facility, names and contact information of persons the resident wishes to have notified if there is a significant adverse change in the resident's condition, identification of and information on who had authority to sign for the resident in an emergency and the circumstances in which emergency medical services were not to be summoned. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	01650			
01710 SS=F	144G.71 Subd. 3 Individualized medication monitoring and reas The assisted living facility must monitor and	01710			

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01710	Continued From page 25 reassess the resident's medication management services as needed under subdivision 2 when the resident presents with symptoms or other issues that may be medication-related and, at a minimum, annually. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure the registered nurse (RN) completed an annual reassessment of the resident's medication management services for one of one resident (R1). This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all the residents). The findings include: R1 was admitted on July 25, 2019, with diagnoses that included dementia, cerebral infarction, and osteoarthritis. R1's service plan signed on April 25, 2023, indicated R1 received services to include assistance with activities of daily living (ADLs), and medication management. R1's individualized medication management plan dated April 28, 2021, indicated R1 required assistance with once daily and as needed medication administration. R1's record lacked evidence of any additional medication management assessments.	01710		

Minnesota Department of Health

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NAME OF PROVIDER OR SUPPLIER HIGH STREET HOUSE		STREET ADDRESS, CITY, STATE, ZIP CODE 317 NORTH HIGH STREET LAKE CITY, MN 55041			
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01710	Continued From page 26 On August 22, 2023, at 1:15 p.m. licensed assisted living director (LALD)/registered nurse (RN)-A confirmed R1's individualized medication management plan was last updated on April 28, 2021. LALD/RN-A stated she completed medication assessments/plans for all residents upon admission but would not with a change of condition or annually. The licensee's medication and treatment policy, undated, indicated the RN would develop a medication, treatment, and/or therapy management plan as appropriate based upon the resident assessment and the services provided. It further indicated the medication, treatment and therapy plans would be current and updated when there were changes. No further information was provided. TIME PERIOD FOR CORRECTION: Seven (7) days	01710			
01880 SS=F	144G.71 Subd. 19 Storage of medications An assisted living facility must store all prescription medications in securely locked and substantially constructed compartments according to the manufacturer's directions and permit only authorized personnel to have access. This MN Requirement is not met as evidenced by: Based on observation, interview, and record review, the licensee failed to ensure medications were stored securely for one of one resident (R2) with narcotic medication.	01880			

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01880	Continued From page 27 This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at an isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved or the situation has occurred only occasionally). The findings include: On August 21, 2023, at approximately 1:50 p.m. food service manager (FSM)-F was observed working and seated at a desk in the second floor main office space. On August 23, 2023, at 11:05 a.m. surveyors requested to observe storage of narcotic medication. Licensed assisted living director/registered nurse (LALD/RN)-A brought the surveyors upstairs to the second level office space. The entrance to the stairs had a door with a numbered push button locking system used to provide access to the stairway. The upstairs was used only by staff and included one large area with multiple desk spaces and one separate office for LALD/RN-A. LALD/RN-A directed surveyors to the desk space by the window to the left in the large office, where a fire safe locked box was observed on the desktop. Surveyors reviewed the narcotic sign off sheets which indicated there was one resident (R2) with narcotic medication (morphine) secured in the locked box. LALD/RN-A stated they ensured narcotics were double locked and considered the lock to the stairway as the first lock and the fire safe lock box as the second lock. LALD/RN-A further stated all staff, including kitchen staff, had access to the upstairs. LALD/RN-A also stated	01880			

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01880	Continued From page 28 the locked box was transportable and could see where it could easily be moved/transported by any staff member which could be a risk for diversion. The licensee's Controlled Substances/Schedule II Drugs policy dated August 1, 2022, indicated: This facility will take all reasonable precautions to eliminate the theft, diversion or misuse of controlled substances and will comply with requirements regarding the safe storage and disposal of these drugs. No further information provided. TIME PERIOD FOR CORRECTION: Seven (7) days	01880		
02310 SS=H	144G.91 Subd. 4 (a) Appropriate care and services (a) Residents have the right to care and assisted living services that are appropriate based on the resident's needs and according to an up-to-date service plan subject to accepted health care standards. This MN Requirement is not met as evidenced by: Based on observation, interview, and record review, the licensee failed to ensure care and services were provided according to acceptable health care and medical or nursing standards for two of three residents (R1, R2) with side rails. This resulted in an immediate correction order on August 22, 2023, at approximately 2:05 p.m. This practice resulted in a level three violation (a violation that harmed a resident's health or safety,	02310		

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02310	Continued From page 29 not including serious injury, impairment, or death, or a violation that has the potential to lead to serious injury, impairment, or death), and was issued at a pattern scope (when more than a limited number of residents are affected, more than a limited number of staff are involved, or the situation has occurred repeatedly; but is not found to be pervasive). The findings include: During the entrance conference on August 21, 2023, at 11:59 a.m. licensed assisted living director/registered nurse (LALD/RN)-A stated having a couple residents with assist bars on their beds, although LALD/RN-A wasn't sure if they had manufacturer's instructions for them. LALD/RN-A further stated R2 recently returned from the hospital on hospice services and would be receiving a hospital bed with side rails. LALD-RN-A was unsure if the bed had been delivered yet. R1 R1's diagnoses included bilateral osteoarthritis of knee. R1's Service Plan dated April 25, 2023, included housekeeping, laundry, bathing, assistance with transfers and daily medication administration. On August 22, 2023, at 8:00 a.m. R1's bed was observed with a square-shaped assist bar on the exit side of bed that attached under the mattress. R1's record lacked documentation of a side rail assessment, documentation of a risk versus benefits discussion, and documentation that R1's side rail was installed, used, and maintained per manufacturer's guidelines.	02310			

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02310	Continued From page 30 R2 R2's diagnoses included chronic kidney disease. R2's Service Plan dated July 13, 2023, included housekeeping, laundry, and daily medication administration. On August 22, 2023, at 7:50 a.m. R2's apartment was observed to have a hospital bed with bilateral upper side rails in the down position. Unlicensed personnel (ULP)-C stated the bed was provided by hospice on August 15, 2023, when R2 returned to the facility following hospitalization. R2's Side Rail Use Assessment Form dated August 21, 2022, [sic] did not include measurements of the side rails nor was it signed by the resident and/or family/legal representative related to discussion of risks and benefits involved with side rail use. R2's record lacked a timely side rail assessment, documentation of risk versus benefits discussion, documentation of the measurements of R2's side rails, and documentation R2's side rails met the Food and Drug Administration (FDA) recommendations. On August 22, 2023, at 9:50 a.m. LALD/RN-A stated she completed the side rail assessment for R2 "yesterday" (August 21, 2023) after surveyors entered the building, and further stated she did not conduct measurements of R2 side rails. LALD/RN-A stated she could not find evidence an assessment had ever been completed for R1's assist bar, and further stated residents/families were all given the FDA (Food and Drug Administration) "A Guide to Bed Safety" pamphlet with the admission folder.	02310			

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02310	Continued From page 31 The March 10, 2006, the FDA Side Rail Entrapment Zones and Dimensional Recommendations indicated to reduce the risk of entrapment, zone 1 (space between the rails), should be less than four and three quarters' inches. The FDA "A Guide to Bed Safety," revised April 2010, included the following information: "When bed rails are used, perform an on-going assessment of the patient's physical and mental status, closely monitor high-risk patients. The FDA also identified; "Patients who have problems with memory, sleeping, incontinence, pain, uncontrolled body movement, or who get out of bed and walk unsafely without assistance, must be carefully assessed for the best ways to keep them from harm, such as falling. Assessment by the patient's health care team will help to determine how best to keep the patient safe." The licensee's Devices and Device Assessment policy dated August 1, 2021, indicated: 1. Due to the risk of injury related to to use of physical devices, such devices will only be used after and assessment has been completed to determine the risks and benefits of this use. 2. The resident/responsible party will be educated regarding the risks and benefits of physical devices. Physical devices will be reviewed for safety and used according to manufacturer's recommendations. 3. Continued use of physical devices will be assessed at least every 90 days or with significant change to determine if the device is still needed to enhance the resident's safety and/or bed mobility. No further information was provided.	02310			

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02310	Continued From page 32 TIME PERIOD FOR CORRECTION: Immediate On August 23, 2023, the immediacy was removed as confirmed by email correspondence with evaluation supervisor, but non-compliance remains.	02310			

Type: Full
Date: 08/23/23
Time: 14:16:57
Report: 8074231165

Food and Beverage Establishment Inspection Report

Page 1

Location:

Service Management Group Inc
317 North High Street
Lake City, MN55041
Wabasha County, 79

Establishment Info:

ID #: 0038826
Risk:
Announced Inspection: No

License Categories:

Expires on: / /

Operator:

Phone #: 6513455000
ID #:

The violations listed in this report include any previously issued orders and deficiencies identified during this inspection. Compliance dates are shown for each item.

The following orders were issued during this inspection.

4-300 Equipment Numbers and Capacities

4-302.13B **** Priority 2 ****

MN Rule 4626.0710B Provide a readily accessible, irreversible registering temperature indicator for measuring the utensil surface temperature in mechanical hot water warewashing operations.

Comply By: 08/23/23

4-300 Equipment Numbers and Capacities

4-302.14 **** Priority 2 ****

MN Rule 4626.0715 Provide an appropriate test kit to accurately measure sanitizing solutions.

no chlorine test strips

Comply By: 08/23/23

4-200 Equipment Design and Construction

4-201.11

MN Rule 4626.0505 Replace equipment or utensils that are not durable or do not retain their characteristic qualities under normal use conditions.

hollow base cabinets and counter top is beginning to show ware. countertop is swelling near microwave, drawer near microwave broken. replace with solid surface and with filled base or 6 inch legs.

Comply By: 01/31/24

Type: Full
Date: 08/23/23
Time: 14:16:57
Report: 8074231165
Service Management Group Inc

Food and Beverage Establishment Inspection Report

4-200 Equipment Design and Construction

4-201.11AMN

MN Rule 4626.0506A Provide or replace food service equipment with equipment that is certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program.

crook pot, mixer, blender and various other equipment not to the ANSI standard.
Comply By: 10/31/23

5-200A Plumbing: approved materials/design

5-201.11B

MN Rule 4626.1040B Maintain the plumbing system in good repair.
prep sink with garbage disposal has a leak. Fix the garbage disposal or remove garbage disposal
Comply By: 08/23/23

Surface and Equipment Sanitizers

Chlorine: = 100ppm at Degrees Fahrenheit
Location: sanitizer bucket
Violation Issued: No

Hot Water: = at 173 Degrees Fahrenheit
Location: dish machine
Violation Issued: No

Food and Equipment Temperatures

Process/Item: Upright Cooler
Temperature: 41 Degrees Fahrenheit - Location: beef
Violation Issued: No

Process/Item: Upright Cooler
Temperature: 41 Degrees Fahrenheit - Location: pasta
Violation Issued: No

Total Orders	In This Report	Priority 1	Priority 2	Priority 3
		0	2	3

Type: Full
Date: 08/23/23
Time: 14:16:57
Report: 8074231165
Service Management Group Inc

Food and Beverage Establishment Inspection Report

Page 3

NOTE: Plans and specifications must be submitted for review and approval prior to new construction, remodeling or alterations.

I acknowledge receipt of the Minnesota Department of Health inspection report number 8074231165 of 08/23/23.

Certified Food Protection Manager Melissa Laska

Certification Number: FM106151 Expires: 04/21/24

Signed: _____
Establishment Representative

Signed:  _____
Andrea Kieffer

507-206-2721
andrea.kieffer@state.mn.us